

Corporate Substance Abuse Program

Purpose:

This program outlines the procedures and policies set in place for the control of employee substance use concerning:

- Use of illegal drugs
- Misuse of alcohol
- The sale, purchase, transfer, use or possession of any illegal drugs
- The arrival or return to work under the influence of any drug (legal or illegal) or alcohol to the extent that job performance and safety are compromised

Scope:

This program pertains to employees of all Subsidiaries and Affiliates of MBC Holdings, Inc. (the "Company").

References / Attachments:

Attachment: *The MOST / Northwest Ohio Great Lakes Construction Alliance Substance Abuse Policy*

Responsibilities:

All Company employees are responsible to comply with the policies and procedures outlined in this program.

Introduction:

The Company has adopted the MOST / NWO GLCA Substance Abuse Policy as its own corporate policy with the exception of the listed addendum of Company requirements.

General Requirements:

1. All employees will be enrolled into the MOST / NWO GLCA Substance Abuse Program and maintain a "Current" status to maintain employment eligibility with the Company. **See and Review Attachment: *The MOST Substance Abuse Policy*.**
2. All employees will review and abide by the MOST Substance Abuse Policy and Company requirements.
3. All types of drug screening will be conducted as outlined in the MOST / NWO GLCA Substance Abuse Policy and Company addendums listed. The Company reserves the right to conduct additional testing (i.e. hair, blood, saliva, urine) when deemed necessary by management.

Training:

1. All employees will be trained in the contents of the MOST / NWO GLCA Substance Abuse Policy and Company requirements.
2. All employees will receive one hour of drug awareness training if they have not received this training in the past (*Meets BWC state contractor requirements*).
3. All superintendents will receive an additional one hour of skill building training to recognize employees who show signs of alcohol or drug use if they have not received this training in the past (*Meets BWC state contractor requirements*).

Addendum:

The following Company requirements are in addition to and/or supersede similar requirements outlined in the MOST / NWO GLCA Substance Abuse Policy.

1. INITIAL DRUG SCREENING

When a potential or current Company employee enrolls into this program and an initial drug screen has been submitted, they will be on a 10 day probationary period of employment from the date the sample was submitted and pending the results of the drug screen.

2. POST-ACCIDENT DRUG SCREENING

The Company requires Post-Accident Drug Screening whenever an accident occurs as defined below. For purposes of this requirement, an accident is considered an unplanned, unexpected or unintended event that occurs on Company property, during the conduct of the Company's business, or during working hours, or which involves Company-supplied motor vehicles or motor vehicles that are used in conducting Company business, or is within the scope of employment, and which results in any of the following:

- (i) A fatality of anyone involved in the accident;
- (ii) Bodily injury to the employee and/or another person that requires off-site medical attention away from the Company's place of employment;
- (iii) Vehicular damage in apparent excess of \$1,000; or
- (iv) Non-vehicular damage in apparent excess of \$1,000.

When such an accident results in one of the situations above, any employee who may have contributed to the accident will be tested for drugs or alcohol use or both.

3. POSITIVE TEST RESULTS

- a. Employees who are found to have a confirmed positive drug or alcohol test will be immediately taken off safety-sensitive duties and are subject to discipline up to and including termination. With a positive test or refusal to submit to a test, if the union does not require rehabilitation, the employee will be suspended for a minimum of thirty (30) days. At the end of the thirty days the employee may be restored to his/her job upon presentation of a negative drug/alcohol test, certification that a qualified rehabilitation program has cleared him/her and if work is available.
- b. Employees who are found to have a second confirmed positive drug or alcohol test after returning to work with the Company will be terminated (See *Return To Work Drug Screening & Assessment*).

4. RETURN TO WORK DRUG SCREENING & ASSESSMENT

This testing occurs when an employee who has previously tested positive is allowed to return to work under a "second-chance" or "last-chance" agreement. A return-to-duty test is required before the employee is allowed to return to work and, if the employee fails this test, this will lead to termination of employment. Once an employee passes the drug and/or alcohol test and returns to work, there will be a series of four or more additional tests conducted over a period of at least a year.

5. TERMINATION NOTICES

In those cases where substance testing results in the termination of employment, all termination notices will list "misconduct" as the reason. Termination shall be deemed "for cause."

6. DRUG SCREEN EXPIRATION & RENEWAL DATE

Company employees must inform the Safety & Human Resources Department when their "Current" drug screen status has expired prior to two (2) weeks of its expiration date. Employees can contact the department administrator, Denise Rue, at 419-446-7846 or leave voicemail notification of a pending expiration date. Failure to notify the Company of an expiration date may result in disciplinary action as per Company guidelines.